

ORDINANCE NO. 1163

AN ORDINANCE ANNEXING TO THE CITY OF FORT MORGAN THAT AREA KNOWN AS THE FORT MORGAN MIDDLE SCHOOL ANNEXATION AS DESCRIBED HEREIN.

WHEREAS, the City Council of the City of Fort Morgan on December 2, 2014, adopted a resolution finding that the Fort Morgan Farms LLC and Morgan County School District RE-3 petition for annexations was in substantial compliance with C.R.S. §31-12-107, and set a hearing date of January 20, 2015, for the Fort Morgan City Council to consider the annexation of the area set forth below; and

WHEREAS, pursuant to the notice required under C.R.S. §31-12-108, the Municipal Annexation Act of 1965 as amended, hereinafter referred to as the Annexation Act, the City Council of Fort Morgan held on January 20, 2015, a hearing pertaining to said annexation; and

WHEREAS, owners of one hundred percent (100%) of the area have petitioned for such annexation; and

WHEREAS, the City Council of the City of Fort Morgan has by resolution made findings of fact and conclusions of law based thereon and determinations pertaining to said annexation, and has determined said area should be annexed forthwith as part of the City of Fort Morgan.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:

SECTION 1. The following described territory is hereby annexed to and made a part of the City of Fort Morgan, Colorado:

That portion of the Northwest Quarter and the Southwest Quarter of Section 7, Township 3 North, Range 57 West of the 6th P.M., Morgan County, Colorado; Described as follows:

Commencing from the West Quarter corner of Section 7, S00°44'10"E along the West line of the Southwest Quarter of Section 7, a distance of 787.16 feet to the Point of Beginning; Thence S89°03'50"W, a distance of 30.00 feet; Thence N00°44'10"W, a distance of 126.51 feet; Thence N88°51'31"E, a distance of 60.00 feet along the line of Annexation Map recorded at Reception No. 784879 of Morgan County records; Thence N00°44'10"W continuing along said Annexation Map, a distance of 660.44 feet to a point on the North line of said Southwest Quarter; Thence N00°45'29"W, a distance of 1280.81 feet; Thence N89°14'31"E, a distance of 700.97 feet to a point on the centerline of the Fort Morgan Reservoir and Irrigation Company Canal; Thence along said centerline S48°52'11"E, a distance of 611.16 feet; Thence along the arc of a curve concave to the southwest, a distance of 493.22 feet, said curve having a radius of

910.19 feet and a central angle of 31°02'52"; Thence S17°49'19"E, a distance of 386.93 feet to a point on the northerly right of way line of Acoma Avenue (80' Right-of-Way); Thence S13°21'16"E, a distance of 82.31 feet to a point on a non-tangent circular curve concave northeasterly whose delta angle is 6°19'19" and whose radius is 2076.42 feet, said point being on the centerline of the Fort Morgan Reservoir and Irrigation Company Canal; Thence along the arc of said curve being along said centerline of the Fort Morgan Reservoir and Irrigation Company Canal, a distance of 229.12 feet (the chord of said arc bears S28°54'10"E, a distance of 229.00 feet); Thence S32°05'30"E, a distance of 302.87 feet; Thence S35°41'35"E, a distance of 395.37 feet; Thence S27°52'55"E, a distance of 9.23 feet; Thence S89°03'50"W, a distance of 2076.28 feet to the Point of Beginning.

Containing 69.24 Acres±

SECTION 2. When this annexation is complete, said area shall become a part of the City of Fort Morgan for all intents and purposes on the effective date of this ordinance, with the exception of general taxation, in which respect said annexation shall not be effective until on or after January 1 next ensuing.

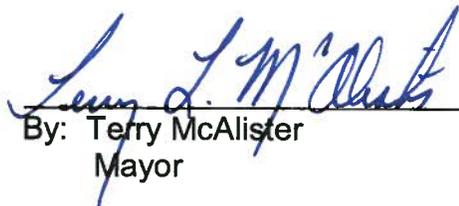
SECTION 3. The City Clerk shall be, and is hereby authorized and directed to file an original copy of this **Ordinance** and one copy of the **Map of Annexation** in the office of the City Clerk of the City of Fort Morgan, Colorado, and two certified copies of said **Ordinance** and **Map of Annexation** in the office of the Clerk and Recorder of Morgan County, Colorado.

SECTION 4. The ordinance shall be in full force and effect from and after its passage and publication as provided by the City Charter.

INTRODUCED, READ, ADOPTED ON FIRST READING AND ORDERED PUBLISHED on the 20th day of January, 2015.



THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO


By: Terry McAlister
Mayor

Attest:

John Brennan
City Clerk

PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED this 3rd day of February, 2015.



THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO


By: Terry McAlister
Mayor

Attest:


John Brennan
City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss. **CERTIFICATE**
CITY OF FORT MORGAN)

I, John Brennan, the duly appointed, qualified Clerk of the City of Fort Morgan, Colorado, do hereby certify that the foregoing **Ordinance No. 1163** was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan, Colorado, on the 20th day of January, 2015. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 23rd day of January, 2015, published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Said proposed ordinance was again taken up and read a second time, duly and legally, passed, approved and adopted at a regular meeting of the City Council held on the 3rd day of February, 2015. Within five (5) days after its final passage, said **Ordinance No. 1163** was published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado.


John Brennan
City Clerk